

APPLICATION: MA/09/0062 Date: 13 January 2009 Received: 9 April 2009

APPLICANT: Mr M. Potter

LOCATION: 88, WEST STREET, HARRIETSHAM, MAIDSTONE, KENT, ME17 1HU

PROPOSAL: Amendments to planning application MA/05/1155 (erection of 1no. detached dwelling) being internal alterations, removal of integral garage and erection of single detached garage and alterations to fenestration and external cladding as shown on drawing nos. 103, 110, 111, 112 and 113 received on 15th January 2009 and 100a, 101a and 102a received on 9th April 2009. as shown on drawing nos. 103, 110, 111, 112 and 113 received on 15th January 2009 and 100a, 101a and 102a received on 9th April 2009.

AGENDA DATE: 30th April 2009

CASE OFFICER: Richard Timms

The recommendation for this application is being reported to Committee for decision because:

- It is contrary to views expressed by the Parish Council.

POLICIES

Maidstone Borough-Wide Local Plan 2000: H28, T13

Kent & Medway Structure Plan 2006: SP1, SS4, QL1, HP2, HP4, NR1, TP19

Village Design Statement: N/A

Government Policy: PPS1, PPS3, PPG24

HISTORY

MA/09/0161 Erection of single storey rear extension and detached garage – UNDER CONSIDERATION

MA/05/1155 Erection of 1 No. detached dwelling (Resubmission of application no. MA/05/0505) – APPROVED WITH CONDITIONS

MA/05/0505 Erection of one detached dwelling - REFUSED

MA/02/1726 Erection of single storey rear extension - APPROVED

MA/02/1725 Erection of detached bungalow and detached double garage - REFUSED

MA/01/1116 Erection of one detached house - REFUSED

CONSULTATIONS

Harrietsham Parish Council: Wish to see the application REFUSED due to the height of the garage, it will have a visual impact on the neighbouring properties, also, if the hedge was to be removed, there would be a 6m x 2.5m wall in front of their houses.

KCC Highways: No objections.

Conservation Officer: No objections to the amended scheme.

REPRESENTATIONS

Neighbours: 1 representation received raising the following points:

- Concern over the increase in the habitable area at the expense of parking.
- The building footprint is already large in proportion to the site area.
- Detached garage appears to be too small for parking a car in and would be difficult to use and probably used for storage.
- Parking may spill over into the street which is already a problem.
- Parking for a second vehicle would be difficult considering the access required by at least three vehicles regularly parked in no. 88.
- Windows are out of scale with the vernacular feel of the building as well as the neighbouring historic cottages. The change of the colour to white makes the building far more prominent and not in keeping.
- The plans seem incorrect as the existing boundary hedge has been drawn on the other side of the site boundary.

CONSIDERATIONS

This is a full application for amendments to application MA/05/1155 (erection of a detached dwelling) land adjacent 88 West Street, Harrietsham. The application site is within the defined village boundary of Harrietsham and not within any specially designated areas.

Planning History

Full permission was granted at Planning Committee on 1st September 2005 under application MA/05/1155 for a detached dwelling. (The Committee Report for that

application is attached as an **Appendix**) Work has begun on this dwelling with the foundations of the building laid and some works above ground level having begun. This application seeks amendments to that permission, which are outlined below.

Site & Setting

The application site is located in the village of Harrietsham, on the north side of West Street. It comprises the western half of the former garden of no. 88 West Street, a detached bungalow with vehicular access to a turning head at the eastern end of West Street. The application site slopes down from north east to south west. A TPO protected yew tree is situated on the northern boundary. The site is surrounded by residential property, including terraced property to the west and north that overlook the site.

Proposed Development

As stated above, this application seeks amendments to the detached dwelling granted permission at Planning Committee in 2005. The dwelling is two storey in the centre of the site, of a chalet bungalow design, with the gable ends of the building facing north and south. The first floor is lit mainly by side-facing rooflights although there are gable end windows, set in projecting jetties, at the north and south ends of the building.

The amendments sought comprise the following:

- Removal of the integral garage and erection of a single detached garage 1.2m west of the dwelling. The integral garage space would be used for an additional bedroom creating a 4 bedroom property. The garage would have a fully hipped pitched roof measuring 5.2m x 3m, 2.2m eaves, 3.5m ridge. Materials would match the dwelling.
- Replacement of black weatherboarding with white.
- Increase in size and amount of windows on the ground floor side, east elevation.
- Increase in size of windows on rear, north elevation.
- The internal layout of the dwelling would be changed on the ground floor with some minor changes to partition walling on the first floor.

The dwelling would therefore be constructed of red brick and white weatherboarding under an imitation slate roof. Vehicular access would be shared with the existing bungalow, with parking space in the detached garage and to the front of the dwelling. The new 1.8m acoustic fencing required under the previous permission has been erected at the front of the site to the A20 with a privet hedge retained in front. Additional hedging is proposed on the west boundary also. An existing 2.5m high hedge along the west boundary adjacent to the new garage would be retained and extended for a further 6m. The protected yew tree would be retained as before.

Assessment

The principle of the development has already been accepted by the Council and there have been no significant changes in Development Plan policy, so the only considerations are the proposed amendments.

(Full consideration of the overall layout, design, visual impact and amenity of the scheme has been previously assessed within the Committee Report attached at the **Appendix**)

Visual Impact

The detached garage is modest in size and would appear subservient to the main dwelling being of similar height to the lower projections on the west side of the building. Therefore it wouldn't form an obtrusive feature in the streetscene. The materials would match the main house and I therefore consider it to be acceptable. It would be set forward of the dwelling by 1.3m but with the terrace properties to the west projecting much further forward towards West Street, it would not be intrusive or out of character.

I consider the use of white instead of black weatherboarding on the dwelling to be acceptable as this is used on 82 West Street to the rear of the site and is common colour within Kent villages. The changes to window arrangement and size are relatively minor and would not significantly alter the appearance of the building.

Overall, I consider the amendments proposed to be visually acceptable and in compliance with policy QL1 of the Structure Plan.

Residential Amenity

The only additional implications for amenity from the previously approved scheme are to the 3 terrace properties to the west from the new detached garage. These properties have ground floor windows facing the site and the garage would be at its closest 4.3m away. I have carried out the relevant BRE light test and confirm the development passes this test. For this reason the garage would not result in an unacceptable loss of light/overshadowing of the ground floor windows on these properties. It must also be noted that there is a 2.5-3m hedge between, which would be retained and which currently blocks more light than the garage would.

The Parish Council have raised concerns that if the hedge was removed, these properties would be left facing the wall of the garage. Whilst some of hedge may have to be cut back on the application site side, it is proposed to be retained. Even if removed, at a distance of 4.3m away, I do not consider the 2.2m flank wall of the garage would be overbearing upon the dwellings. Indeed a 2m wall could be erected without planning permission closer to these properties.

Highway Safety & Parking

Neighbour representations have been raised in respect of parking, stating the garage is too small, difficult to access and parking may spill into West Street. The garage is of sufficient size to park a vehicle, so one space would be provided in the new garage and there is space to the front of the dwelling for another. I consider 2 parking spaces to be acceptable for a 4 bedroom dwelling within the village of Harrietsham and note the Highways Engineer has raised no objections. Electric gates have been shown on the plans but are not currently installed at the property. If these are actually installed it may make access to the garage awkward but not impossible.

Other Matters

Neighbour representations have noted that the original plans were incorrect as the existing west boundary hedge was drawn on the other side of the site boundary. Amended plans were requested which show the hedging in the correct position, which has resulted in the garage moving 0.2m east towards the dwelling and full re-consultation has been carried out.

As the case under the previous application, conditions will be attached to provide material samples, protection of the yew tree, a landscaping scheme, privacy to neighbouring properties, noise attenuation and to retain the parking provision. As work has begun on site, conditions requiring the submission of details will have a time limit of 3 months.

Under the previous application an informative was attached requesting that the dwelling be constructed to have at least a 'good' eco-homes rating. I consider it would be unreasonable to now request the dwelling meets Level 2 on the Code for Sustainable Homes as construction and design has begun without this in mind. An informative requesting a 'good' eco-homes rating can be attached once more.

Conclusion

In conclusion, I consider the amendments to the previous application to be acceptable for the reasons outlined above and therefore recommend planning permission be granted subject to the following conditions.

RECOMMENDATION

Subject to the expiry of the consultation period of the amended plans and the receipt of no representations raising new issues, I be given DELEGATED POWERS to GRANT PLANNING PERMISSION subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Within 3 months of the date of this permission, written details and samples of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development in accordance with policy QL1 of the Kent & Medway Structure Plan 2006.

3. All trees to be retained must be protected by suitable fencing to a height not less than 1.2 metres at a distance as specified in Table 1 or Figure 2 of BS 5837 (1991) 'Trees in Relation to Construction' before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the areas fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority;

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development in accordance with policy QL1 of the Kent & Medway Structure Plan 2006.

4. Within 3 months of the date of this permission a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management shall be submitted to and approved in writing by there has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed in accordance with the Council's adopted Landscape Character Assessment and Landscape Guidelines;

Reason: No such details have been submitted and to ensure a satisfactory appearance to the development in accordance with policy QL1 of the Kent & Medway Structure Plan 2006.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development in accordance with policy QL1 of the Kent & Medway Structure Plan 2006.

6. The proposed louvres to the rear facing, first floor window(s) of bedroom(s) 3 & 4 shall be non-openable and non-adjustable. They shall be manufactured and put in position exactly in accordance with the submitted drawings before the first occupation of the new dwelling hereby approved and thereafter maintained;

Reason: In order to protect the privacy of neighbours to the rear in accordance with policy QL1 of the Kent & Medway Structure Plan 2006.

7. No further openings shall be formed above ground floor level in the north east and north west elevations of the dwelling hereby approved nor shall any extensions to the dwelling be constructed above ground floor level;

Reason: In order to avoid a loss of privacy to neighbours in accordance with policy QL1 of the Kent & Medway Structure Plan 2006.

8. The measures for noise attenuation recommended in the road traffic noise assessment that accompanied application MA/05/1155 shall be put in place before the first occupation of the dwelling hereby approved and maintained thereafter;

Reason: In the interests of the residential amenities of the occupants of the dwelling hereby approved in accordance with PPG24: Planning & Noise.

9. The approved details of the parking/turning areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude

vehicular access to them;

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety in accordance with policy QL1 of the Kent & Medway Structure Plan 2006.

Informatives set out below

The dwelling shall be constructed to have at least a 'good' rating under the eco-homes.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and Kent and Medway Structure Plan 2006) and there are no overriding material considerations to indicate a refusal of planning consent.